



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

November 5, 2008

CALL TO ORDER:

The meeting was called order at 9:01 a.m.

STAFF PRESENT:

Susan Reardon, Staff Hearing Officer
Renee Brooke, Senior Planner
Maggi Walker, Associate Planner
Gloria Shafer, Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
No changes.
- B. Announcements and appeals.
No announcements.
- C. Comments from members of the public pertaining to items not on this agenda.
No comments.

II. PROJECTS:

ACTUAL TIME: 9:02 A.M.

- A. **APPLICATION OF BRANDON AND KARLA SMITH, OWNER, 835 W. MISSION STREET, APN 043-121-001, R2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS/ACRE (MST2008-00457)**

The project consists of a proposal to construct a 92 square foot bathroom addition to the south of an existing 1,106 square foot single family residence with a 380 square foot detached building, which includes a 230 square foot accessory space and a 150 square foot garage. The discretionary application required for this project is a Modification for a reduction in the required open yard area (SBMC §28.18.060.C).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Present: Brandon Smith, Applicant/Property Owner.

Maggi Walker, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:06 a.m.

A letter expressing concerns with the project from Paula Westbury was acknowledged.

The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report for the proposed project and visited the site and surrounding neighborhood. She acknowledged that the site had many constraints due to its lot size, two front yards, and the location of the house that allows a greater front setback but limits future improvements. The proposed addition is suitably located to the rear property.

ACTION:

Assigned Resolution No. 083-08

Approved the project making finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, because the proposed addition is minimal and the lot is constrained by two front yards and currently nonconforming to the open yard area requirement. However, usable yard areas do exist elsewhere on the property.

Said approval is subject to the condition that a Zoning Compliance Declaration be recorded on the property prior to issuance of a building permit.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

ACTUAL TIME: 9:09 A.M.

B. APPLICATION OF KEVIN GLEASON, 707 CHIQUITA ROAD, APN 031-132-009, E-2 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00389)

The 13,073 square foot project site is currently developed with a residence and attached garage which is undergoing a major remodel. The proposed project involves a new 9' X 19' trellis at the front of the residence. The discretionary application required for this project is a Modification to permit the structure to be located within the required twenty-foot front setback (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Present: Robert Mehl, Architect, RPM Architects.

Renee Brooke, Senior Planner, gave the Staff presentation and recommendation, clarifying that a 25 foot setback is typically required in the E-2 zone, however because of the steepness of the front yard, Zoning Ordinance allows a 5 foot

reduction. Ms. Brooke explained that the existing garage is encroaching into the 20 foot setback; the rear yard provides alternative open spaces, and recommended denial of the portion of the modification for the front trellis.

Mr. Mehl explained that there is no public sidewalk in front of the home, and he has confirmed with Public Works that there is no intention to continue or expand the street which ends at the property. Mr. Mehl added that the rear yard open deck provides no relief from sun or wind, and clarified that the request is for a trellis for vines and shade.

The Public Hearing was opened at 9:21 a.m.

A letter expressing concerns with the project from Paula Westbury was acknowledged.

The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report for the proposed project and visited the site and surrounding neighborhood. Ms. Reardon explained that Planning Commission and City Council were clear on restricting encroachment into setbacks, and the type and amount encroachment being requested is discouraged, she added that storage of patio furniture in front setback would be a violation of the Zoning Ordinance. Ms. Brooke suggested that the project might be supportable if the depth of trellis were reduced by two feet. The applicant agreed to reduce the depth of the trellis by two feet.

ACTION:

Assigned Resolution No. 084-08

Approved the project as revised at the hearing making finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance, and provides for an appropriate improvement on the lot with the amendment that trellis depth be reduced so the new support posts align with the existing support posts of the front entrance roof overhang, and the trellis beams align with the existing entrance roof overhang.

Said approval is subject to the condition that a Zoning Compliance Declaration be recorded on the property prior to issuance of a building permit if deemed necessary by the City's Plan Checker.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

ACTUAL TIME: 9:33 A.M.

C. APPLICATION OF JULES BENDER, 1307 HILLCREST ROAD, APN 019-112-004, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2008-00461)

The 23,070 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves a request to install an exit gate across the easterly portion of the circular driveway. The discretionary application required for this project is a Modification to permit the gate to exceed the maximum allowable height of 3 ½ feet when located within twenty-feet of the front lot line (SBMC§28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Present: Jules Bender, property owner.

Renee Brooke, Senior Planner, gave the Staff presentation and recommendation.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. Ms. Reardon questioned how City Council's contemplation to suspend enforcement of sections of the Zoning Ordinance concerning hedge height would affect the project.

Ms. Brooke stated that the City Council is considering an Ordinance which would suspend sections of the Zoning Ordinance pertaining to hedge height except where concerning traffic safety such as long driveways and street corners.

Mr. Bender requested clarification on the amount of hedge required to be removed, and requested only changes needed for improved visibility. Ms. Reardon explained that the reduction would be limited to that portion needed for safety. Ms. Brooke stated Public Works Transportation will determine the amount hedge will be removed.

The Public Hearing was opened at 9:43 a.m. As no one wished to speak public comment was closed.

ACTION:

Assigned Resolution No. 085-08

Approved the project making finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed gate is appropriate because although it will be located seventeen feet from the actual right-of-way, it will be located twenty feet back from the traveled right-of-way. Also, with the reduction/removal of vegetation to open up visibility to the west, the public safety concern will be addressed.

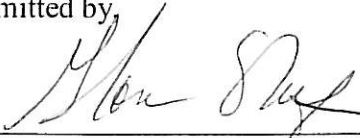
Said approval is subject to a condition that vegetation adjacent to the driveway be removed and/or reduced as required by SBMC §28.87.170 to allow for adequate visibility when exiting the driveway.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

III. ADJOURNMENT

The hearing was adjourned at 9:46 a.m.

Submitted by,



Gloria, Staff Hearing Officer Secretary

11-10-08

Date

